IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

FRIDAY, THE 9TH FEBRUARY 2007 / 20TH MAGHA 1928

SP.JC.No. 5 of 2006(R)

PETITIONER

CENTRE POINT SHIPPING CORPORATION,
485/18-19, SILOM RD, BANGKOK,
REP. BY ITS AUTHORISED REPRESENTATIVE/
POWER OF ATTORNEY HOLDER MR.RAJESH PAUL,
AGED 35 YEARS.

BY ADV. SRI.V.J.MATHEW
SRI.BIJISH B.TOM

RESPONDENTS:
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1. **MV YONG YUE NO.6, A MOTER VESSEL FLYING THE FLAG OF PANAMA,PRESENTLY LYING IN THE COAST OF COCHIN,WITHIN TERRITORIAL WATERS OF INDIA, REP. BY MASTER AND THE AGENT IN COCHIN REGD. WITH CUSTOMS AUTHORITIES,M/S.ATLANTIC SHIPPING PVT.LTD. PADMAKSHI BLDG.,OPP.COCHIN SHIPPYARD,COCHIN-15.**

2. **M/S.KASSAB INTER SHIPPING LLC, P.O.BOX NO.20355, OFFICE NO.82, CHAMBER OF COMMERCE BLDG., AJMAN, UNITED ARAB EMIRATES, REP. BY ITS LOCAL AGENT, ATLANTIC SHIPPING PVT.LTD., PADMAKSHI BLDG., OPP. COCHIN SHIPYARD, M.G.ROAD, COCHIN-15.**

3. **COCHIN PORT TRUST, REP. BY ITS BOARD OF TRUSTEES, THROUGH THE CHIRMAN, W/ISLAND, COCHIN-9.**

4. **COMMISSIONER OF CUSTOMS, COCHIN PORT, W/ISLAND, COCHIN-9.**

5. **COMMANDANT, HEADQUARTERS, COAST GUARD DIST NO.4, KALVATTY ROAD, FORT KOCHI, COCHIN-682 001, TEL NO.0484-2218323, FAX NO.0484-2217164.**

BY ADV. SRI. A.M. SHAFFIQUE - SC FOR R3 (MENON & PAI)
ADV. SRI. JOHN VARGHESE, ASST. S.G.

THIS SPECIAL JURISDICTION CASES HAVING BEEN FINALLY HEARD ON 09/02/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Thottathil B. Radhakrishnan, J.

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S.P.J.C.No.5 of 2006

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Dated this the 12th day of February, 2007.

JUDGMENT

Learned counsel for the petitioner submits that the order for security for costs imposed as per order dated 20-11-2006 was not complied with by the petitioner and the first respondent vessel was not detained by the Port authorities. Memo recorded. Writ Petition is dismissed as withdrawn without prejudice to the contentions.

Thottathil B.Radhakrishnan,
Judge.

sl.